

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MONTGOMERY COUNTY INTERMEDIATE : CIVIL ACTION
UNIT NO. 23 :
: :
v. : :
: :
C.M., et al. : NO. 17-1523

ORDER

AND NOW, this 12th day of October, 2017, for the reasons set forth in the accompanying Memorandum, it is hereby ORDERED that the motion of plaintiff Montgomery County Intermediate Unit No. 23 ("MCIU") for judgment on the administrative record (Doc. # 12) is GRANTED in part and DENIED in part as follows:

(1) The decision of the hearing officer is vacated to the extent that the hearing officer found that MCIU denied C.M. a free appropriate public education under the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq., from November 20, 2015 through June 9, 2016.

(2) C.M. is entitled to an award of compensatory education of five hours for each day MCIU was in session from January 5, 2015 through November 19, 2015. The parties shall confer promptly and make a good faith effort to agree on the total calculation of this award and the manner in which the compensatory education will be provided. The parties shall

transmit to the court a written status report within 30 days of this Order.

(3) The decision of the hearing officer is otherwise affirmed.

(4) The court retains jurisdiction pending an agreement of the parties or a decision of this court on the precise calculation of the award.

BY THE COURT:

/s/ Harvey Bartle III

J.